

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 25-CR-89 (LA)

HANNAH C. DUGAN,

Defendant.

**RESPONSE TO MOTION FOR LEAVE TO FILE AMICUS BRIEF
BY THE CENTER FOR AMERICAN RIGHTS**

On May 14, 2025, the defendant moved to dismiss the indictment, citing (1) “judicial immunity”; and (2) “the Tenth Amendment and the Constitution’s vertical separation of powers.” *See* Dkt. 15. On May 30, 2025, a group of former judges moved for leave to file an amicus brief in support of the defendant’s motion. *See* Dkt. 22.

On June 9, 2025, the United States explained that because there was neither a need nor a legal basis for additional briefing, the Court should decline to allow the judges’ proposed amicus filing. *See* Dkt. 29 at 1-4 (explaining that an amicus brief generally is permitted only when: (1) a party is not competently represented; (2) the amicus has an interest in similar litigation that could be impacted; or (3) the

amicus has unique information or a unique perspective that would help the Court beyond the assistance that the lawyers for the parties could provide).

On June 9, 2025, the Center for American Rights moved for leave to file its own amicus brief. Dkt. 32. In its filings, the Center for American Rights addressed the defendant's arguments and directly responded to the proposed amicus filing submitted by the group of former judges. *See id.*; *see also* Dkt. 32-1.

Because there is no legal basis for allowing a brief from the former judges, there is no need to allow an opposing brief from the Center for American Rights. As such, both motions for leave should be denied. If, however, the Court permits the former judges to file their brief, then the Court should treat the Center for American Rights similarly and accept its filing as well.

Respectfully submitted June 16, 2025.

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